

Application No. 09/408,873

REMARKS

In response to the Examiner's Answer of October 6, 2005 Applicant respectfully requests that the appeal be withdrawn and prosecution reopened under 37 C.F.R. 1.114(d), and submits in response a request for continued examination with the amendments set forth herewith to better place this Application in condition for allowance.

Claims 18, 20, 25-35, and 38-46 are pending in this application. Of these, claims 18, 25, 29, 34 and 41 are independent claims. This Amendment amends claims 18, 20, 25-29, 34 and 41, cancels claims 36-37, and adds new claims 43-46. More specifically, this Amendment amends independent claims 18, 25, and 29 distinguish microscanning as discussed in more detail below by adding the limitation of patching recorded views together at regions of overlap as shown in Figures 10-12 discussed on pages 25-27 of Applicant's specification. In addition, this Amendment amends claim 25 to incorporate the limitations of now canceled claims 36-37 and to clarify that the offset position is fixed within the plane as disclosed on page 27 of Applicant's specification. Further, this Amendment amends dependent claims 26-28 to conform to the amendments made to independent claim 25. Finally, this Amendment amends claims 34 and 41 to be independent claims that incorporate all of the limitations of their base claims 18 and 29, respectively. New claims 43, 44, 45, and 46 correspond to the limitations set forth in claims 34, 35, 41, and 42, respectively. No new matter is therefore believed to be introduced by these amendments.

1. Response To Rejection Under 35 USC 103(a)

In the Examiner's Answer on pages 4-17, the Claims are rejected as follows: Claims 18, 20, 29-33, and 38-40 are rejected under 35 USC 103(a) as being unpatentable over Saund US 5,528,290 (hereinafter referred to as "Saund") in view of Chevrette et al., U.S. Patent 5,744,179 (hereinafter referred to as "Chevrette"); Claims 25-27 are rejected under 35 USC 103(a) as being unpatentable over Anderson US 6,657,667 B1 (hereinafter referred to as "Anderson") in view of Chevrette; Claim 28 is rejected under 35 USC 103(a) as being unpatentable over Anderson in view of Chevrette, in further view of Kang et al., US 6,256,058 B1 (hereinafter referred to as

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"Kang"); and Claims 36-37 is rejected under 35 USC 103(a) as being unpatentable over Anderson in view of Chevrette, in further view of Ejiri et al., US Patent No. 6,104,840 (hereinafter referred to as "Ejiri").

In response to comments in the Examiner's Answer, Applicant amends independent claims 18, 25, and 29 to better place Applicant's claimed invention in condition for allowance by distinguishing *microscanning* as taught by Chevrette. In particular, microscanning as taught by Chevrette produces an *interlaced* image with a set of images recorded by moving a lens a distance of a half a pixel pitch (see Figure 1d of Chevrette). In contrast, Applicant's system and methods produces a composite image with greater pixel resolution by *patching together recorded images at regions of overlap* as recited in amended independent claims 18, 25, and 29.

Accordingly, for the reasons above and for the reasons set forth in the Reply Brief filed September 1, 2005, which are incorporated herein by reference, Applicant respectfully submits that independent claims 18 and 29 are patentably distinguishable over Saund in view of Chevrette and independent claim 25 is patentably distinguishable over Anderson in view of Chevrette. Insofar as claims 20, 26-28, 30-33, 38-40, and 43-46 are concerned, these claims depend from one of now presumably allowable independent claims 18, 25 or 29 and are also believed to be in allowable condition.

2. Response Assertion In Examiner's Answer

For the record Applicant responds to the assertion in the Examiner's Answer on page 18-19, paragraphs 42-43, that Applicant's claimed limitations of "simultaneously recording a plurality of views of an area" is well known in the art in view of the Official Notice set forth in the Office Action of July 2005. Applicant respectfully submits that the assertion on page 18-19, paragraphs, 42-43 of the Examiner's Answer was not made in the Office Action of July 2005. Instead, the Office Action of July 2005 took Official Notice with respect "to simultaneously recording a plurality of images by a plurality of respective cameras" ... "for the advantage of increasing image capture time", without stating how the Official Notice related to Applicant's claimed invention which recites "simultaneously recording a plurality of views of an area" ... "to produce a composite

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image having a higher resolution than the resolution of one or more of the simultaneously recorded views".

3. Allowable Claims

Section 39-40 on page 17 of the Examiner's Answer indicates that claims 34, 35, 41, and 42 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. This Amendment amends claims 34 and 41 to incorporate all of the limitations of their base claims 18 and 29, respectively. Accordingly claims 34, 35, 41, and 42 are believed to be in condition for allowance.

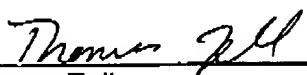
4. Fee Authorization And Extension Of Time

No additional fee is believed to be required for this amendment or response, however, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

5. Conclusion

In view of the foregoing remarks, reconsideration of this application and allowance thereof are earnestly solicited. In the event the Examiner considers a personal contact advantageous to the disposition of this case, the Examiner is hereby requested to call Attorney for Applicant(s), Thomas Zell.

Respectfully submitted,


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